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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/760,679	
	Filing Date	January 16, 2001	
	First Named Inventor	Macmillan M. Wisler et al.	
	Art Unit	2862; Confirmation No.: 4076	
	Examiner Name	Reena Aurora	
Total Number of Pages in This Submission	20	Attorney Docket Number	414-16782-US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Todd A. Bynum, Reg. No. 39,488	
Signature		
Date	March 8, 2004	

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Typed or printed name	Beth Pearson-Naul
Signature	
Date	March 8, 2004

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BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of: Macmillan M. Wisler et al. § Appeal No. _____
U.S. Serial No.: 09/760,679 §
Filed: January 16, 2001 § Group Art Unit: 2852
For: "Method and Apparatus for § Examiner: Reena Aurora
Measuring Resistivity and Dielectric §
In a Well Core in a Measurement § Confirmation No.: 4076
While Drilling Tool" § Docket No. 414-16782-US

BRIEF FOR APPELLANTS (37 CFR §1.192)

MS Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Appellants hereby submit their brief on appeal from the decision rendered by the Examiner finally rejecting claims 2-14, 16-26, 28-34 and 36-41, mailed October 9, 2003 (OFFICE ACTION), in furtherance of the Notice of Appeal filed January 7, 2004.

The fees required under 37 CFR §1.17(c), and any required petition for extension of time for filing this brief and fees therefor, are dealt with in the accompanying Transmittal of Appeal Brief.

This Brief is transmitted in triplicate.

The final page of this brief bears the attorney's signature.

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I hereby certify that this Appeal Brief, and associated papers are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed ATTENTION: Board of Patent Appeals and Interferences, MS Appeal Brief - Patent, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450.


Beth Pearson-Naul

3-8-04
Date

It is respectfully submitted that it appears as if the only way one of ordinary skill in the art could make the above changes to result in the claimed invention herein would be to use the Appellants' claims improperly as a hindsight guide.

Furthermore, with respect to claims 28-34 and 36-41, the Examiner has failed to present a prima facie case of obviousness, because the suggested combination of references does not teach or suggest the claimed symmetrical arrangement of at least two transmitters and at least two receivers.

IX. PRAYER FOR RELIEF

It is respectfully submitted that the rejections of the claims have been overcome and/or avoided by the arguments presented above. It is further respectfully requested that the Board reverse the final rejections of the Examiner. The Examiner and/or the Board are encouraged to call the Appellants' attorney at the number below for any reason that may advance prosecution of the case.

Respectfully submitted,



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